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Attorneys for Defendants and Counterclaimants
O-Net Communications (Shenzhen) Limited,
Multiwave Digital Solutions, Inc., and
Chunmeng Wu, an individual

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Oplink Communications, Inc.,

Plaintiff,

v.

O-Net Communications (Shenzhen)
Limited,
Multiwave Digital Solutions, Inc.,
Chunmeng Wu, an individual,

Defendants.

Case No. CV 07-4582 JSW

**STIPULATION AND [PROPOSED] ORDER
RE-SETTING HEARING DATE AND
BRIEFING SCHEDULE RE OPLINK
COMMUNICATIONS' MOTION TO STRIKE
DEFENDANTS' AFFIRMATIVE
DEFENSES AND DISMISS THEIR
COUNTERCLAIMS**

IT IS HEREBY STIPULATED AND AGREED by and between plaintiff Oplink
Communications and defendants O-Net Communications (Shenzhen), Limited, Multiwave Digital
Solutions, Inc., and Chunmeng Wu, through their counsel of record, that the briefing schedule and
hearing date for Plaintiff's Motion to Strike Defendants' Affirmative Defenses and Dismiss their
Counterclaims filed on October 9, 2007 (Dkt. # 19), shall be re-set as follows:

Defendants' Opposition to November 6, 2007
Plaintiff's Motions Shall Be Due:

Plaintiff's Reply to Defendants' November 13, 2007
Opposition to Plaintiff's Motion
Shall Be Due:

Hearing on Plaintiff's Motion: November 27, 2007, 9:30 a.m.

There is good cause for re-setting Plaintiff's Motion. Defendants' Motion to Dismiss and Motion to Strike filed on September 17, 2007 has already been re-noticed for hearing on the same date and time—November 27, 2007 at 9:30 a.m. In addition, the case management conference in this matter is also currently set for the same date (at 2:00 p.m. rather than 9:30 a.m.).

Respectfully submitted,

Dated: October 24, 2007

FENWICK & WEST LLP

By: _____ / s / Heather N. Mewes

Attorney for Defendants and Counterclaimants
O-Net Communications (Shenzhen) Limited
and Multiwave Digital Solutions, Inc., and
Chunmeng Wu, an individual

Dated: October 24, 2007

WHITE & CASE LLP

By: _____ / s / Sam O'Rourke

Attorneys for Plaintiff
Oplink Communications, Inc.

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Martin J. Jenkins
United States District Court

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

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Attestation

I, Heather N. Mewes, attest that I have obtained the physical signature of each of the other signatories to this Stipulation, reflecting their concurrence in the filing of this document; and will maintain records to support this concurrence until one year after final resolution of this action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 24th day of October 2007 at San Francisco, California.

By: _____/s/ Heather Mewes

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FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW